G. R. S. 59] GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

1899.
~~191~~
(Sep. Revenue)

80

File No. 8 of 98-99

Serial Nos. 1—7

~~Papers Filed.~~

Month Novembr 1899.

SUBJECT.

Complaint of Kalal Venkatswamy against
the Sale of Drug Shop Kolar Town for 1898-99.

PREVIOUS REFERENCES.

LATER REFERENCES.

M/c. Sarcen
countermarked
Secretariat
2/4/14

S.R. 87-98-99

MYSORE DEWAN'S OFFICE.

EXCISE

~~FOREST~~ BRANCH.

OFFICE NOTE.

SUBJECT.

Petition of Kalal Venkatswamy late Drug shop keeper, Kolar Town complaining against the sale of the Drug Shop at Kolar for 1898-99 in contravention of the terms of the sale notice under which the shop was sold by public auction ~~for 1896~~ in June 1896.

LAST REFERENCE.

Letter No. _____ dated _____

from _____

In May 1896, one Krishnappa, the then Drug shop-keeper in Kolar Town was found carrying contra-band ganja and his license was cancelled on that account. In Prop Nos: 93-94 and 95-96 dt 11th April 1896, Govt: had allowed the sale of drug shops in localities where there was bona fide competition but subject to the payment of the usual license fees - In accordance with these orders, the shop was advertised for auction, but the period for which the same was

(2) on the file of records

with Excise Com No. 35-28/1761 dt 21/11/98

* just use

20 on the file of records

to continue was not specifically
mentioned in the advertisement.
In fact the advertisement stated
that the shop would be disposed of
subject to the condition that licence
fees should be paid and ~~sales~~ the business in the shop
conducted ~~according~~ according to rules, as
long as the shop ~~could possibly~~ might be in force. (~~to~~ to ~~be~~ be of
~~continued~~. On these conditions
Kalal Venkatswamy (petitioner)
purchased the shop for Rs 1,901-
and he was made to understand
that his license would not be can-
-celled ~~except in the case of a~~ ~~unless there occurred any~~ violation
~~default~~ of the rules. - Govt: in
the meantime exempted the
purchasers of ~~the~~ shops at
auctions from the payment of the usual
license fee. The Excise Commr
thinking that the shop had been
sold for the year 96-97 only,
directed it to be sold for 97-98.
The petitioner Venkatswamy prayed (10)
before the Deputy Commr that
as he had paid a large sum
in the beginning of the contract,
his shop might be continued to
him upto June 1901. The Deputy

Commr supported him and said "The Drug shop at
"Kolar was sold on 3rd June 1896
"and one Dodda Venkataswamy of
"Kolar purchased the same for Rs 1,99
"on the understanding that the
"license will not be cancelled
"except in case of a violation of
"the Excise Rules and so it fetches
"such a large sum. For the same
"reason, the said shop was not
"sold for the year 1897-98. The
"purchaser Dodda Venkataswamy
"has given a statement to the effect
"that he may be permitted to hold
"the shop upto the end of 30th June
"1901 as he had paid a large
"sum and has been paying
"interest for the same. As the
"said shop was sold under the
"above said condition, I think
"it is fair to grant his request
"and the shop may be sold from
the year 1901-902". The Excise
Commr then enquired whether the
shop had been sold on the condition
that it would not be sold again
the following year and if so
on what authority. On his being
told by the Deputy Commr that

(9) on the file of

(11) on the file of records

(12) on the file of records

the shop was sold as per warrant
on the condition that it would
not be resold unless there has
been a violation of Excise
laws on the part of the licensee
the Excise Commr directed the (13)
sale of the shop for 1898-99.
In reply to the Excise Commr's
direction the Asst: Commr in
charge of the Excise Dept: (who
held the sale of the ~~shop~~ drug shop
in question) says has the honour (12)
"x x x x x to request that
"to avoid any complaints of the
"auction purchaser the sales of
"this shop may be effected from
"the year 1901-1902. If this is
"not done, it is very difficult
"to gain the confidence of the
"purchasers again. Requests there
"-fore that this may be treated as
"a special case and concession
"shown to the auction purchaser
"and time allowed as prayed for
by him" The Excise Commr sent
for the notice under which the
sale was held and in interpreting
the same said that it is no way (17) on the plea of (cont'd)
allowed Venkatswamy to have the
shop for ever or upto 30th June

1901 without the payment of license fee and that as per that ~~Same~~ notice the purchaser had to pay license fee every year. He further added that to determine such fee the shop had to be sold by public auction and that according to a statement showing the sales &c, in the shop, Venkataswamy had made good the purchase money of Rs 490/- and more. In accordance with the Excise Commr's order the shop has been sold for Rs 431/- for the year 1898-99. The present petition is against this sale.

Pleas in favour of the petitioner are :-

(1) That no definite period was marked in the sale notice under which the shop was granted to him.

(2) That the Deputy Commr and the Extra Asst Commr in charge of the Excise Dept who held the sale of the shop in question, interpreted the sale notice to the effect that the license would not be cancelled unless there arose any ~~default~~ violation of the license Rules, and recommended the continuance of the shop upto June 1901

The points against the petitioner are :-

(1) That the license fee, which he was bound to pay according to the stipulation in the sale notice, was abolished.

(2) That the sale of the Ganja shop in analogy with that of Arrack and Toddy shop ought to have been for only one year.

(3) That a statement of sales in his shop showed that he had more than recovered the amount he had first paid

(4) That he was allowed to have the shop for two years for Rs 490/- while it has since fetched Rs 431/- for a single year i.e. for 1898-99.

Considering the grounds against him, Venkataswamy has not made out a good cause for complaint

11/12/98 Memorandum for orders 7/12/98

The Beta purchaser
the club under the
Rules in force on
the date of his purchase.
Those Rules are contained
in the Notification of
11-4-96. So long
as he did nothing to
forfeit his license
he had a right to
hold the club.
-fect to payment
of license fees under
and above the pur-
-chase money (Rs
490) - The subsequent
Rule of 5/11/96 could
not affect his either
way i.e the license
could not be
regarded as terminated
at the end of a
year nor could
the annual license
fee be increased
2 He held Mr Das
for 2 years - Did
he pay any license

pl type how much? If not why was
So what ~~the~~ else it not ~~done~~
did the clerk believe pursuant he was
on those two years? bound to pay
it under the
terms of his
Release?
How can
the value
Encumbered
V 5/11/96
affect his
liability as
he is suing &
seeking reason
- relief for
the non-
payment?
C

6/2/99

If the release supersedes
this is not forthcoming
in the records, please
call pat C

6/2/99

Memo Continued.

In accordance with the above order, the Excise Commissioner was requested to furnish information on the points noted in the margin & his replies of the Excise Commissioner are shown against them—

(1) The late drug shop keeper Kolal Venkatsami held the shop at Kolar, for two years 1896-97 & 1897-98. Did he pay any license fee & if so how much? If not, why was it not levied from him when he was bound to pay under the ~~exclusive~~ terms of his purchase?

Reply.

The licensee of the drug shop at Kolar held the shop during the years 1896-97 & 1897-98. He paid the full amount of the license fee viz Rs 60/- (at 3 Rs per month for opium shop & at 2/- Rs per month for the ganja shop) for the year 1896-97 & Rs 15/- for the first quarter of the year 1897-98; that he failed to pay the balance of Rs 45/- on the authority of his Govt proc^s no $\frac{4212-13}{A\,70-94}$ & $\frac{4209-10}{R4\,120-93}$ dt 5th November 96 The Govt Officials also seem to have refrained from collecting the above balance on the authority of the said proc^s which exempted the purchasers of the drug shops at auction sales from the payment of the usual license fee.

put up

(2) How could the subsequent Govt orders nos 4212 dated 5/11/96 & 4209-10 dated 5/11/96 affect his liability?

(3) Is he in any way responsible for the non-payment?

} not answered

(4) To what class did the shop belong in these two years referred to?

The opium shop belonged to 2nd class & the ganja shop to 3rd class

No reply is given to the query nos 2 & 3.

The question is whether the drug shop keeper (applicant) has a right under the terms of the purchase, to continue to hold the shop as long as he abides by the conditions imposed. The prayer was that the sale of the drug shop for 1898-99 may be cancelled & the shop restored to the applicant. That year has passed & ~~it~~ ~~is not known~~ the sale for 1899-1900 has also been completed before the beginning of the year.

Submitted,

KG
8/11/99

submitted to Secretary

Just the questions regarding have not been answered by the Excise Govt—

Having failed to fully pay the license fee for the year 1897-98 the Petitioner cannot justly claim to hold & continue the Shop—

sd
10/11/99

If you have received no further petition from the respondents it seems unnecessary to pass any orders in the case - The petition may be struck off

13-11-99
Excise
sd 13/11/99

A.D. 1689

the former License holder Thiruvaiah was also enjoying the right on the same terms. No time had been fixed for him also

11 That the cause shown by the Excise Commissioner to resell the right is not at all warranted by Law and that the Appellant is not bound for any subsequent orders or terms now imposed in the notification.

For these reasons the Appellant humbly prays, that the sale for the year 1898/99 may be cancelled and the shop restored to him. Otherwise the Appellant has to undergo considerable loss and he is not in a position to say who will be responsible for him.

Kolar
16th July 1898

Your humble Appellant
remains Sir.
Your most obedient & humble
Servant

of this Memo. The Deputy Commissioner after hearing the appellant and perusing the papers connected with this case was pleased to grant him an endorsement to the effect that he is unable to do anything on the face of the order of the Excise Commissioner No. 1864/183 dated 18th May 1898 which runs as follows—

That the purchaser should enjoy the right as long as it continues — under the Rules on payment of License fee and that it was not given for ever and the money paid by the Appellant had already been recouped by him. The Endorsement granted is herein enclosed for your kind perusal.

The shop was sold on the date fixed

8. That under the above circumstances the Appellant was obliged to give

to give over the shop to the purchaser for this year.

9 That from the terms of the notification published in the Mysore Gazette and by the terms of the Appellant's Munchilika it is clear that no definite term was fixed and that the right to resell was not at all contemplated then. It is also further to be noticed why the sale was not carried out in the year 1899 if it was the intention of Government to resell the same

10 That on the assurance of the terms of the notification the Appellant became a bidder for a large sum of Rupees 490 plus the License as 60 a year.

That the Appellant further brings to your notice that the former

appellant became purchaser from government for Rs 490. No term or time was fixed either in the proclamation in the Gazette or in the Sanchilika taken from him

6 That all along the appellant thought that the right of purchase to be continued for ever on payment of Rs 5 (five) per month as License fee.

6. That to his great astonishment a notification in the Mysore Gazette appeared in the year 1897 to the effect that the Gauja shop at Kolar was to be sold for the official year 1897/98 That the appellant protested that no sale could be effected on the face of his Sanchilika which should be continued for ever on payment of License fee. Upon that an enquiry was held and the sale

and the sale stood in abeyance. The Excise Assistant Commissioner Mir Abdul Azez afterwards brought on a compromise to the effect that the Appellant should enjoy the privilege up to the year 1901 and the Appellant consented for the same. The matter was dropped and what all further correspondance took place in the matter the Appellant is not in a position to state

Again as in the year 1897 another notification was published in the Gazette that the same shop will be put up for sale for the year 1898/99. That before the time fixed for sale your humble appellant protested again by a petition to the Deputy Commissioner on the ground mentioned in para 6 of

Despatched 18

COURT FEE 2 PIES
Dec 2 to 2
16-7-98
TWO RUPEES

Two Rupee Stamp affixed

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. No. 1316
DATE 19-7-98

The Honourable Councillors of His
Highness the Maharani Regent of
Mysore province

Most respectfully showeth.

The humble appeal of Kalal
Venkatsawmy Ganja shop-keeper at Kolar
Town against the order of the Deputy
Commissioner of Kolar in Rs. 1489 dated
7th June 1898.

That so long back the Govt. was
pleased to sanction two Ganja shops
for the use of Kolar Town
& Sierra Leone Kanaty Appiah and Krishniah
became Venders under the orders of the Deputy
Commissioner. They were vending
Ganja for some time and on

and on account of some misunderstanding among the Shop-keepers, the Deputy Commissioner ordered to have only one shop instead of two shops.

3. That the shop was put up for sale the above named Krishnia purchased the right from Government for Rs 300. for indefinite period.

4. That after some time the said Krishnia committed the breach of Rule. He was prosecuted and finally his right was confiscated by Govt.

5. That in the month of June 1896 the shop was put up again for sale and your humble apellant

p. d. continues under
Rules on payment
of License fee and that
it was not given to
him and the money
had by the petitioner had
already been recouped
by him.

The grounds of appeal
are (1) that no term or
time was fixed either in
the proclamation or in
the Gazette or in the Rules
taken from him, (2) that
when it was published
in the Gazette that his shop
should be sold for the official
year 1897-98, he protested
against the sale & the
Asst. Govt. Agent
did not agree to a
compromise to the effect
that the petitioner should
enjoy the privilege up to
year 1901 which the petit
accepted.

On these grounds he has
that the sale may be set
he may be restored to
his Ganja Shop.

Mrs
22/7/98

1898

No. 171

Name of Petitioner Kolal Venkatasaw
Ganja Shop-keeper

Village

Taluk Kolar

District Kolar

Date of Arzi 16-7-98

Date of Receipt 19-7-98

Date of Disposal

No. of Enclosure — one —

ABSTRACT

This is an appeal against order no 14 of 7-6-98 of the Dy. Co. of the Kolar District declining to cancel the sale of the Petitioner Ganja-shop for the ye 1898-99.

The order appealed against is as follows — That he is unable to do an thing in the face of the Exc Comrs's order no 1864 & 18-5-98 which is as follo That the purchasers shou

(1) 2 Rs. - ns affixed - Stamp defe
(2) The petitioner under complained of D. dy 7.6.98. & time transmitted to the Excise Board
26/7/98. Asst Secretary

Ord'd Secretary
This may be forwarded to the Excise Commr for disposal or report if necessary.
27-7-98
26/7/98
27-7-98
Per Order
26/7/98

Stage
Ord
23
98

6-6-98

Please Asst Commissioner
How does this matter
stand? Is it true that
Petr. has his Contract
running until 1901

1/6/98

16-9-98

ਸੇਵਾ ਵਿਖੇ ਸ੍ਰੀਮਾਨ ਜੀ ਡਾਇਰੈਕਟਰ

ਵਿਸ਼ਾ:- ਸਾਲ 1998-99 ਦੌਰਾਨ ਸਾਲਾਨਾ ਸਮਾਗਮ ਕਰਵਾਉਣ ਸਬੰਧੀ ਗ੍ਰਾਂਟ ਜਾਰੀ ਕਰਨ ਬਾਰੇ।

ਸਾਲਾਨਾ ਸਮਾਗਮ ਕਰਵਾਉਣ ਸਬੰਧੀ ਗ੍ਰਾਂਟ ਜਾਰੀ ਕਰਨ ਬਾਰੇ ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਵੱਲੋਂ ਪੱਤਰ ਨੰ. ਡੀ.ਪੀ.ਆਈ./ਸੈਕੰ./ਸਮਾਗਮ/98/ਪੀ.ਐਫ.ਐਮ./ਸਾਲਾਨਾ ਸਮਾਗਮ/ਗ੍ਰਾਂਟ/ਸਾਲ 1998-99/ਮਿਤੀ 16-9-98 ਰਾਹੀਂ ਪ੍ਰਾਪਤ ਹੋਏ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਸਾਲ 1998-99 ਦੌਰਾਨ ਸਾਲਾਨਾ ਸਮਾਗਮ ਕਰਵਾਉਣ ਲਈ ਗ੍ਰਾਂਟ ਜਾਰੀ ਕਰਨ ਦੀ ਪ੍ਰਵਾਨਗੀ ਦਿੱਤੀ ਗਈ ਹੈ। ਇਸ ਸਬੰਧੀ ਹੇਠ ਲਿਖੀਆਂ ਸ਼ਰਤਾਂ ਦੀ ਪਾਲਣਾ ਕਰਨੀ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ।

ਸ਼ਰਤਾਂ

1. ਸਮਾਗਮ ਦੀ ਤਰੀਖ ਤੋਂ ਘੱਟੋ-ਘੱਟ ਇੱਕ ਮਹੀਨਾ ਪਹਿਲਾਂ ਸਮਾਗਮ ਦੀ ਰੂਪ-ਰੇਖਾ ਅਤੇ ਸਮਾਗਮ ਦੇ ਪ੍ਰੋਗਰਾਮ ਦੀ ਕਾਪੀ ਦਫ਼ਤਰ ਵਿਖੇ ਭੇਜੀ ਜਾਵੇ।

2. ਸਮਾਗਮ ਦੀ ਤਰੀਖ ਤੋਂ ਘੱਟੋ-ਘੱਟ ਇੱਕ ਹਫ਼ਤਾ ਪਹਿਲਾਂ ਸਮਾਗਮ ਦੀ ਸੂਚਨਾ ਅਖ਼ਬਾਰਾਂ ਵਿੱਚ ਛਪਵਾਈ ਜਾਵੇ।

3. ਸਮਾਗਮ ਦੀ ਤਰੀਖ ਤੋਂ ਘੱਟੋ-ਘੱਟ ਇੱਕ ਹਫ਼ਤਾ ਪਹਿਲਾਂ ਸਮਾਗਮ ਦੀ ਸੂਚਨਾ ਅਖ਼ਬਾਰਾਂ ਵਿੱਚ ਛਪਵਾਈ ਜਾਵੇ।

4. ਸਮਾਗਮ ਦੀ ਤਰੀਖ ਤੋਂ ਘੱਟੋ-ਘੱਟ ਇੱਕ ਹਫ਼ਤਾ ਪਹਿਲਾਂ ਸਮਾਗਮ ਦੀ ਸੂਚਨਾ ਅਖ਼ਬਾਰਾਂ ਵਿੱਚ ਛਪਵਾਈ ਜਾਵੇ।

5. ਸਮਾਗਮ ਦੀ ਤਰੀਖ ਤੋਂ ਘੱਟੋ-ਘੱਟ ਇੱਕ ਹਫ਼ਤਾ ਪਹਿਲਾਂ ਸਮਾਗਮ ਦੀ ਸੂਚਨਾ ਅਖ਼ਬਾਰਾਂ ਵਿੱਚ ਛਪਵਾਈ ਜਾਵੇ।

6. ਸਮਾਗਮ ਦੀ ਤਰੀਖ ਤੋਂ ਘੱਟੋ-ਘੱਟ ਇੱਕ ਹਫ਼ਤਾ ਪਹਿਲਾਂ ਸਮਾਗਮ ਦੀ ਸੂਚਨਾ ਅਖ਼ਬਾਰਾਂ ਵਿੱਚ ਛਪਵਾਈ ਜਾਵੇ।

ਸਕੂਲ ਮੁਖੀ

13

Draft as per orders

(2)

Official Memorandum

No 937 & 4.8.98.
Ex. 48. 4.

h 2

S.R & 7/98-99
SL 2

petition Regd No 1718
16th July 1898 from the Kolar
Venkatsamy, Ganja shop keeper,
Kolar Town, complaining against
the order sale by public auction
of the Ganja shop at Kolar
Town in contravention of the
terms of the muchalika said
to have been executed by the
petitioner, is forwarded
to the Excise Commr for
report

13 O

VL
29/7/98

Jr Secretary

28/7/98

Rw 153

14

REVENUE DEPARTMENT
Gl. No. 2832
NOV. 1 1898
No .....
1898
DEWAN'S OFFICE

Gen. 30]

(3)

From The Excise Commissioner in Mysore

S. R. 7-9-99
SL3

To

The Secretary to the Govt. of Mysore,

General ~~& Revenue~~ Depts

Dated 25th October 1898.

Despatched 2nd November.

Received

General No. 3207

No. 147

Enclosure No.

In reply to Secretary's No. 937 Ex. 48 dated 4th instant—

SUBJECT.

Reports on the petition of Kolal Venkatasamy, late Drug shop keeper Kolar Town, showing the circumstances which led to the sale of the Drug shop by public auction for the year 1898-99.

References (to be entered only in the Dewan's Office).

Submitted — No Petn has not been returned — Call for it as well as the Ver: papers connected with the

Cons. 27/11/98

Excise Commissioner's Office
Bangalore 25th October 1878

No. 3204/147

From The Excise Commissioner
in Mysore

To
The Secretary to Government
General & Revenue Departments

Sir,

In reply to your official memo No. 937 Ex. 48, dated 4th instant, forwarding for report a petition from Kolal Venkatasamy, drug shopkeeper, Kolar town complaining against the sale by public auction of the drug shop at Kolar, contrary to the terms of the Mutchalika said to have been executed by him, I have the honor to state that the Deputy Commissioner, Kolar District, reports that no Mutchalika was taken from him Copies of the sale notice and Harazpatti under which he purchased the shop are herewith submitted. It will be seen from the sale notice that the shop was

advertised

advertised for sale on condition that the purchaser could enjoy it as long as it might be permitted to be in force subject to the payment of license fee, &c, under the license rules. The license granted to him was annual, and it was not sold to him to be enjoyed for ever as alleged by him. There having been competition for the shop, it was ordered to be sold for 1897-98 with a view to determine the amount of the license fee payable for the shop. The Deputy Commissioner recommended that the petitioner might be allowed to hold the shop up to the year 1901-1902. On reply the Deputy Commissioner was requested to report if the shop was sold to the petitioner in 1896 on such terms & if so, on what authority, and also to submit the Haraz pátti or other document containing such terms.

The

The aforesaid Sale notice and Haraj patti which were received from the Deputy Commissioner, showed that the petitioner was not entitled to the concession referred to by the Deputy Commissioner, and it was clear from the transactions of the shop for the years 1896-97 & 1897-98, during which period the petitioner held the shop, that he not only made good the purchase money, viz Rs 490, which he paid but also made a profit of more than Rs 250. Accordingly the shop was ordered to be sold for the year 1898-99, & it has been purchased for Rs 431, by a man named Tiruvengada Moodr. for the year 1898-99 only.

I have the honor to be,
Sir,
Your most Obedient Servant

L Venkata Lungaiyah

For Excise Commissioner
in Mysore

3/a

[illegible]

[illegible] 51 [illegible]

[illegible] 1896 [illegible]

[illegible] 12 [illegible]

[illegible] 4 [illegible]

[illegible] 15 [illegible]

[illegible]

[illegible]

[illegible]

Dated 25-December-1896.

(Sd) Abdul Azeez.
For Deputy Commissioner
Kolar District.

[illegible] — [illegible] — [illegible] — [illegible] — [illegible] — [illegible] — [illegible]

50. . .	[illegible]	(Sd)
100. . .	[illegible]	(Sd)
110. . .	[illegible]	(Sd)
150. . .	[illegible]	(Sd)
200. . .	[illegible]	(Sd)
250. . .	[illegible]	(Sd)
260. . .	[illegible]	(Sd)
300. . .	[illegible]	(Sd)
320. . .	[illegible]	(Sd)
330 . .	[illegible]	(Sd)
350 . .	[illegible]	(Sd)
355 . .	[illegible]	(Sd)
360 . .	[illegible]	(Sd)
400 . .	[illegible]	(Sd)
420 . .	[illegible]	(Sd)

450. - - [illegible] (sd)

460 - - [illegible] (sd)

465 - - [illegible] (sd)

470 - - [illegible] (sd)

475 - - [illegible] (sd)

480 - - [illegible] (sd)

485 - - [illegible] (sd)

490 - - [illegible] (sd)

[illegible]

[illegible]

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

[illegible] (sd)

(sd) Abdul Azeez
Extra Assistant Commr

"True Copy."

[illegible]

For Excise Commissioner
in Mysore

Draft as sent

To

S. R. 8079-98

SL4

The Excise Commr in Bangre

d/ 15th November/98

Desp'd 15

No: 3336 d/ 15/11/98
Rn 157 15

His letter No: 3204/147 d/ 25th Octr 1898 reporting on the petition of Kolar Venkatswamy, late Drug Shop keeper, Kolar Town, complaining against the sale by public auction of the ganja shop at Kolar

With reference to the above has the honour to request that the petition referred to above - which was forwarded with this office No: 932/Rn 148 d/ 4th August 98 - may be returned together with the vernacular papers connected with the case -

By Order
10/11/98
for Secretary

Excise Commr

KL

Lu 178

GEN. No. 3366
NOV 24 1898
No
DEWAN'S OFFICE

Gen. 30]

1898

21

From The Excise Commissioner in Mysore

S. R & G. 98-99
525

To

The Secretary to the Govt. of Mysore,
General and Revenue Depts

Dated 21st November 1898
Despatched 23rd.
Received
General No. 3528
No. 174
Enclosure No. 1 file.

In reply to Secretary's No. 3336/15-7, dated 15th instant.

SUBJECT.

Submits the petition of Kolar Venkatasamy, late drug shop-keeper, Kolar town, together with a file of papers received from the Deputy Commissioner, Kolar District.

References (to be entered only in the Dewan's Office).

Clerk
Peon
24/11/98

Excise Commissioner's Office

Bangalore 21st November 1923

No. 3528/174 Enc/file

From

The Excise Commissioner, in Mysore

To

The Secretary to Government

General and Revenue Departments

Sir,

In reply to your docket No. 3336/15-7 dated 15th instant, I have the honor to forward herewith the petition of Kolal Venkatasamy, late drug-shopkeper, Kolar town, referred to in the above, together with a file of papers received from the Deputy Commissioner, Kolar District, (to be kindly returned)

I have the honor to be,
Sir,
Your most obedient servant

[illegible]

For Excise Commissioner
in Mysore

(6)

Draft as per order

To

The Excise Commr
in Mysore

S.R 807-98-99
SL 6

No 5408 / Ex. 223. last file
Dated 9 February 1899

With reference to correspondence ending with your letter no 3528/174 dated 21st November 1898, regarding the complaint preferred by one of Kalal Venkatswamy, late drug shop keeper, Kolar Town, against the sale of the drug shop, Kolar town for 1898-99, has the honor to request information on the following points:—

(1) The late shop-keeper, Kalal Venkatswamy held the ~~shop~~ drug shop at Kolar, for two years, 1896-97 & 1897-98. Did he pay any license fee and if so how much? If not, why was it not levied from him when he was bound to pay under the terms of his purchase?

(2) How could the subsequent

Govt. orders nos. 4212-13 & 4209-10
R 70-94 R 7120-93

dated 5th November 1896 affect

his liability.?

(3) Is he in any way responsible

for the nonpayment.?

(4) To what class did the shop

belong in those two years referred to.?

2. The file of papers sent with his letter referred to above is herewith returned for reference and retransmission.

"B" "C"

9/2/99

Pr Secretary

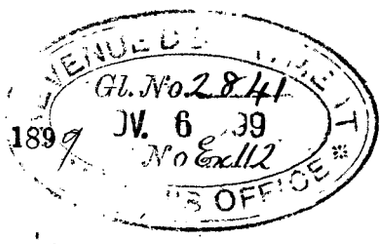
6/2/99

2 S

S.R 8-79 & 79
S 67

Rec: Excise
3-11-99
1

Excise]



From

The Excise Commissioner
in Mysore

To

THE SECRETARY TO GOVT. OF MYSORE,
General & Revenue Dept.s

Dated 30th October 1899.
Despatched 1 — 11 — 99
Received
General No. 2865
No. 115
Enclosure No. 1 & 1 file

In reply to Secretary's docket No. 57408/223, dated 9th February 1899

SUBJECT.

Submits with remarks, copy of communication from the Deputy Commissioner, Kolar District, furnishing information called for about Kolal Venkatasami, licensee of the drug shop at Kolar town for 1896-97 & 1897-98.

References
(to be entered only in the Dewan's Office.)

No. 2865/115 Revenue 1 & 1 file

Excise Commissioner's office
Bangalore, dated 30th October 1899
1-11-99

From

The Excise Commissioner
in Mysore

To

The Secretary to Government
General and Revenue Departments

Sir,

In reply to your docket No. 5408/223, dated 9th February 1899, I have the honor to submit herewith copy of the marginally noted correspondence from the Deputy Commissioner, Kolar district. It will be seen from it that Kolal Venkatasami, the licensee of the drug shop at the Kolar town, held the shop during the years 1896-97 & 1897-98; that he paid the full amount of the license fee, viz. Rs 60* for the year 1896-97, and Rs 15 for the first quarter of the year 1897-98; and that he failed to pay the balance of Rs 45 on the authority of the Government Proceedings Nos 4212-13/R.F. 70-94 and 4209-10/R.F. 120-93, dated 5th November 1896.

2. The Government officials also seem to have refrained

× 1. Docket No. 52, dated 30th August 1899.
2. Docket No. 37, dated 18th October 1899, together with its original enclosures.

* at Rs 3 per month, for the opium shop, and at Rs 2 per month for the Ganja shop.

refrained from collecting the above balance on the authority of the said Government Proceedings.

3. The opium shop belonged to 2nd class and the Ganja shop to 3rd class.

4. The file of papers alluded to in the docket under reply, is herewith returned

I have the honor to be,
Sir,
Your most obedient Servant

For Excise Commissioner
Mr in Mysore

1899-1900.

From

The Deputy Commissioner
Kolar District.

To

The Excise Commissioner
in Mysore.

Dated 30/31th August 1899.

No. 52

Enclosure No. 1 file.

His docket No 592/13 and subsequent reminder No 1657/41 dated 27th July and 28th August 1899 respectively, requesting early report on certain points regarding Kolal Venkatasami, late Drug Shop-Keeper, Kolar Town.

In reply to the above, has the honor to inform that Kolal Venkatasami held the Drug shop at Kolar during the years 1896-97, 1897-98. He has paid the full amount of license fee viz Rs 60-- for the year 1896-97 and Rs 15 for the 1st quarter of the year 1897-98

2. He failed to pay the remaining sum of Rs 45-- on the authority of Government Proceedings No 4212-13/R.F. 70-94

and

and 4209-10 / R.F. 120-93 dated 5th November 1896.

3. The opium shop belonged to 2nd class and the Ganja shop to 3rd class He was paying a license fee of 3 and 2 Rs respectively for these shops per month.

4. Kolar Range Supervisors' report No 140 dated 28th Instant with its enclosures are herewith submitted.

5. The records received with the docket under reply are also herewith returned.

(sd) C. KrishnaRao
For Deputy Commissioner

1899.

From

The Deputy Commissioner
Kolar District

To

The Excise Commissioner
in Mysore

Date. 17/18th October 1899

No 87

Enclosure No 1.

His docket No 1796/49 dated 5th

5th September 1899, and subsequent reminder No 2063/64 dated 19th ultimo enquiring why license fees were recovered from Venkatasami late drug shop-keeper Kolar Town

---

In reply to the above, has the honor to forward herewith in original Kolar Range Supervisor's report No. 205 dated 17th ultimo which explains the circumstances under which the license fees were recovered from Kolal Venkata-sami

(sd) C. Krishna Rao.

for Deputy Commissioner
Kolar District

Copy

For Excise Commissioner
in Mysore

ted from payment of such fees, the pur-
chasers of drug shops at auction sales. 31

Sd/ S Venkatangiengar

Your Evere Commissr

in Mysore

Kolar Distt. Dy Commissrs

Office dated 8-9-99

No. 384

No. 207

Copy of the above is forwarded to the Excise Supervisr Kolar Range for information and immediate report

H H Sparke

Deputy Commissr

L. No. 208
Vi.

In reference to the above I beg to report that the petitioner has paid Rs 75- under the orders of the Taluk Authorities and the Inspector, a statement received from the petitioner to that effect is herein enclosed for your perusal. The original Sale-proceeds are not with me so to enable me to state on what condition the shop was sold to the petitioner. I beg to remain

Sir,

Your most obedient servant

C Bashyacarlu Naik

Supervisr

17/9/99

1899

From

The Excise Commissioner

in Mysore

To

The Deputy Commissioner

Kolar Distt.

Dated 5/6th September 99

No: 1796/99

The Dy Comrs docket No: 52 dated 31st August 1899, furnishing certain information in connection with the petition of Kalal Venkatasamy late drug shop-keeper of the Kolar town.

I am directed by Govt to request that you will be informed whether the shop-license fees have been recovered from the petitioner up to September 1897, when Govt had, in their orders noted in the margin,

Encl: 1

1 Govt Order No. 4205-10 R.F. 1203-93 dated 5th November 1896

2 ——— do No: 4212-13 R.F. 90-94 dated 5th November 1896

Gen. Serial No. 31.] (1) 34

1895-96 No. 5753
2270

From

The Sessn Assistant Comms.
Kolar District

To

The Deputy Commissioner
Kolar District

Reply confirming the sale

Dated
Despatched 16th June 1896
Received

Enclosures No. 3

General No. 546
No.

Has the honour to state that the undersigned conducted the sale of the Ganja shop at Kolar on the 3rd instant and that one Venkatasamy of Kolar purchased the same for Rs 490—0—0 against Rs 300—0—0 on the previous occasion and the required deposit viz: Rs 125—0—0 were recovered and credited into the Taluk Treasury on the same date.

The undersigned recommends that the sale may be confirmed

Licence issued
11-6-96

Sale held & Intimation sent to Excise Comr
13/5/96

Confirmed.

The sale proclamation and patty are herein enclosed for reference

Michael Berg

Extra Assistant Commissioner

No. 4607 of 95-96
1915 (2)

From

The Abkari Supervisor
Kolar Range

To

The Deputy Commissioner
Kolar District

Dated 2nd May 1896
Fe 185

Sir,

I respectfully beg to report that the sales in the drug shops at the Kolar Town, have of late fallen off considerably, which roused my suspicion that the Licence Holder Ramgiri Krishniah was bringing contraband Ganja. I have directed the Tester to be on the look out. This morning Tester MooniRajoo with the aid of his assistant tester caught the said License-Holder near the Kolar new Traveller's Bunglow red-handed in bringing 9 3/4 seers of

For Officer

The Licence may be Cancelled & steps taken to issue a new Licence.

3/5

4-5-96

Six applications have been received up to date for the Ganja Shop at Kolar.

Last time the shop was sold by public auction and this Licensee whose licence has been ordered to be cancelled purchased the

of ganja from Bowringpett.

I charged the accused this day before the Treasury Assistant Commissioner and 1st Class Magistrate for bringing contraband ganja in contravention of section 22 of the Excise Act XXII of 1881. The case was heard and the accused was convicted and fined ~~Rs~~ 5/- and in default of payment he was ordered to suffer one month's simple imprisonment.

The Tester got a reward of ~~Rs~~ 10/- under section 50 of the said Act.

As the accused being a License Holder committed a grave offence, I beg respectfully to suggest that his license may be cancelled.

I beg to remain

Sir,

Your most obedient servant

Vradacamkandu

Abkari Supervisor

Kolar Ranger

14/5

12-5-96

Rs 500/- to be paid as costs of suit

Rs 100/- is claimed. Plaint to be filed

to call it again by 4th July & another

endorsement by writer.

1896-97 No. 4652

Gen. 28]

3209

1897

4 40

From

The General Commissioner
in Gujarat

To

The Deputy Commr
Kolar District

Dated 23rd

Despatched 28th April 1897.

Received

General No. 5386-95

No. 284

Enclosure No.

Lo No. 4724
3028

Put up with previous
papers.
1-5-97

I has the honor to request
that the Ganja and
opium shops for which
there is competition, may
be sold for the year 1897-
98 and results reported.
The dates on which they
will be sold should be
duly

Opium P.B. Ledger
3209
Receipts from Sub Depot
3752

1896-97 No. 4724

To 42 3028

The Secretary Commissioner
in Mysore

30-5-97

Your no. 5-388-95-
284

dated 23rd ultimo

In reply
to the
above I have the
honour to inform
you that the Ganja &
Opium shop at Kolar
was sold last
year for Rs. 490-00
and it is not therefore
desirable to sell
the same again this
year in prejudice to
the interests of the
Govt.

1898-97 No. 5401 46
3752 (1-5)

1897

From The Excise Commissioner
in Mysore

To The Deputy Commissioner
Kolar District

Dated 3rd June 1897.

Despatched

Received

General No. 6093

No. 274

Enclosure No.

The Deputy Commissioner's
No 4724 / 3028, dated the 30th May 1897 / 2nd June 1897.

In reply has the honor to observe that the drug shop at Kolar having been sold last year for Rs 490, it is evident that there is competition for it, and accordingly it ought to be sold for 1897-98

2. The report of the result of the sale of the Oorgaum shop is awaited.

3. It is believed that there is competition for the drug shops

Note This letter to be sent with Commissioner's letter dated 5-6-97

Received for registry
17-6-97

hofs at Chickballapur, Bowringpet, Chintamony
and Gudur.

M Murrell

Excise Commissioner
in Mysore.

1897-98 No 801
5 47

Gen. 28]

1897

6

From the Excise commissioner
in Mysore

To the Deputy commissioner
Kolar District

To No 648
405

Dated 5th August 1897

Despatched 8th Do

Received

General No. 1397-402

No.

Enclosure No 77

Has the honor to request
that the Deputy commissioner
will be good enough to re-
-port the results of the sales
of the drug shops in his
District for 1897-98.

Excise commissioner
in Mysore

1897-98 No. 648
405
7
46

To
The Excise Commissioner
in Tharpone

16th August 1897
His no. 1397-602
77
Has the honor to dated
5th Instant

In reply to the above
has the honor to ~~correct~~
~~in the margin~~ inform
that the drug Shops in
the Chuk Gallapur, Chintam
Bidaghatta Bowringpet
and Argum towns are
sold for the years
1897-98 and the
results are noted in
the margin.

A separate reference will
be made as regards the
drug Shop at Kolar.
The drug Shops in other
Talugs were not sold as
there was no competition
for the as has already been
intimated.

For Collector

To no 678
426
From no 801
547

Rec'd 18-8-97

Name of Talug | Amount fixed for 1897-98
Chuk Gallapur | 350 — " —
Chintamany | 121 — "
Bidaghatta | 44 — "
Bowringpet | 157 — "
Argum | 432 — "

Kaivay and
Narikal Bidaram
Shadaram Sadik
Hussain Khan
Collector's
Head Assistant

47

(8)

Memo

The Ganja and opium shop keeper at Vellore having been convicted for selling smuggled Ganja, his license was cancelled and the shop was sold last year with the condition that the shop will not be sold again unless and until the license is cancelled for any violation of the Excise Rules and one Vengalarayan purchased the same for Rs 490/

As the Excise Commissioner ~~wants~~ in his docket No 6093/294 dated 3rd Inst. wants that this shop should be sold again for this year. If the Excise Commissioner's order is brought to effect the shop keeper will suffer loss. At the time of sales during last year if the bidders had been informed that this shop would be subjected to sales every year there would not have been a keen competition

The shop keeper at Gudiyatham was convicted for similar offence. This shop was also sold for Rs 29 lakhs last on the above said conditions. It fetched Rs 202/

If the Excise Commissioner's order is to be enforced the purchasers will no doubt suffer loss and claim for damages. I therefore beg to suggest that the

Sale of the Ganja shop at Kiddapatna may be cancelled and ordered to be re-sold with the express condition that the shop will be subjected to annual sales -

As regards the Ganja and Opium shop at Kothavalasa which was sold last year I beg to suggest that the sale amount viz Rs 490 may be ordered to be refunded to the present purchaser after deducting a reasonable amount for the time he was in possession of the shop & the said shop may be ordered to be resold.

Submitted for orders.

24-6-97

Asst. Collr.

Please report facts & circumstances under the circular as to whether it is not expedient to sell the shops at Kothavalasa annually -

The facts relating to Sarvasiddhi shop may also be reported for

Such action as C.C may think fit -

24.6.97.

Asst.

1897-98 No 678
426

The Excise Commissioner
Mysore

19th August 1897

Sir

In Continuation of this office docket No 648 of 17th Instant, I have the honour to inform you that the Arrack Shop at Kolar was Sold on 3rd June 1896 and on Dodda Venkatasami Kolar purchased the same for Rs 490 on understanding that the license will not be Cancelled in case of any violation and as it has been ruled of the Excise this reason the said was not Sold for the year 1897-98 as per recent instructions.

The purchaser Dodda Venkatasami has lately given in a statement to the effect that he may be permitted to carry the Shop up to the end of 30th June as he has paid a large amount in lumpsum and has been pay

Licensed for the Same
over Since. As the Said
Shop was Sold under the
above Said Condition
I think it is fair to
Grant his request and
the Shop may be Sold from
~~for~~ the Year 1901-1902

Thanks

By Commissioner

(10)

Taken before me. 12-8-97

Settlement Officer. Lucknow

(11)

52

1897-98 N

From
The Excise Commissio
in Mysor

To
The Deputy Commissi
Kolar District

Dated 21st August 1897.

Despatched 24

Received

General No. 1709
No. 43

Enclosure No.
The Deputy Commissio
No. 678/426, dated 19/20 inst.

In reply has the honor to request to be informed, if the drug shop at Kolar was put up to auction on the condition that it would not be sold again in the following year, and if so on what authority.

D. Ramaiah

Excise Commissioner
in Mysore

29/8/97 Refer that a copy might be sent if such condition was imposed.

Read for reply
14-9-97.

B

1897-98 No 911

No 12 576

53

The Excise Commissioners

Sept 97

His no. 1709

43

2nd August 97

In reply to the above has the honor to inform that the drug shop at Kolar was put up to auction on condition that it would not be sold again until the license holder was found fault with for any violation of the

Jan-Mar 1176

No 879

1897

Excise Rules in accordance
with the Enamel then existing

Jno. Evans

189 7 ~~13~~ 54

From

The Excise Commissioner
in Mysore

To

The Deputy Commissioner
Kolar District.

Dated 13th September 97

Despatched 14

Received

General No. 2348
No. 64

Enclosure No.

The Deputy Commissioner's no.
911/576, dated 7th instant

In reply has the honor to state that the drug shop at Kolar will have to be put up to auction for the year 1898-99, under the orders of Government, as there is competition for it.

Excise Commissioner

In Mysore

Put up with previous papers
21-9-97

WP 6 3437/2053 1897-1898 (14) 55

The Excise Comm^r.
in Kingston

Dy 13-4-98 Re:-
Despd. 14th Apl 98 No. 2348/64 dated
13th September 97
intimating that the
2 drug shops at Hobor
may be put up
to Auction for the
year 1898-99

In reply to the
above has the honor
to invite his kind
attention once more
to this Office docket
Nos. 678 & 1911/576 August
426/20
and 7th September 1897
respectfully. The
Exbt aining
circumstances under
which

the drug Store at Victor was sold ~~and~~ ~~controlling interest~~ and I request that to avoid any Complaints of the auction purchasers the Sales may ~~be~~ be Conducted of this Store in a similar manner to that effected from the 1901-1902 ~~Last year~~. If this is not done it is very difficult to gain the Confidence of the purchasers again. ~~under~~ ~~under that Conditions~~

Request Therefore that this may be treated as a special case and Concession shown to the last auction purchaser and Same allowed to him as provided for by him.

Yours

Fred Dorr

From No 1176
1782
to No 878
1905

D
No 1897-98 of 0911
Vol 12 576
53

The Excise Commissioners
in Inverness
7 Sept 97

His no. 1709 of
43
2nd August 1897

In reply to the above has the honor to inform that the drug shop at Kelso was put up to auction on condition that it would not be sold again unless the license holder was found fault with for any violation of the

Excise Rules in accordance
with the Spanish Treaty

Jno. Evans

21 — 4

Excise Dept

Furnish the information

KS

Place this before Dy. Comm
with the previous papers.
The drug shop was sold accordingly
& the amount is in Sub Treasury.
The sale was confirmed by the
Dy. Comm
30-4-98

(15) 57

Gen. 31.]

1897-1898 Registered No. 4396
3496

Registered No. 3724

From The Excise Commissioner
in Mysore

To The Deputy Commissioner
Kolar District

Dated 18th
Despatched 19 } April 1898
Received

General No. 7256
No. 164

Enclosure No.

The Deputy Commissioner's
docket No. 3437/2053 dated
13th instant.

In reply has the honour
to invite attention to
this office docket No.
1709/43 dated 21st August
1897, and to request
to be informed under
what authority the
drug-shop at Kolar
was put up to auction
in

in June 1896 on condition that it will not be sold again before the year 1901-1902; and that the Haraj Patty or other document containing such condition, may be sent for reference.

For Excise Commissioner,
in Mysore

fully explained.
The Sale petty in the case assumes modification in
enclosed for remedial and
return

Commissioner

21-5-98
Excise Depot
RB

Gen. 31.] (17) 60

1897-1898 Regd no 4913
3876

From The Excise Commissioner
in Mysore
Bangalore

To The Deputy Commissioner
Kolar District
Kolar.

Dated 13th May 1898

Despatched 20

Received

General No. 1864
No. 183

1864/183 Enclosure No. 4

The Deputy Commissioners docket no: 3774/2269 dated 4th/14 instant.-

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In reply has the honor to point out that in the sale notice on the file herewith returned for reference, it is laid down that the Ganja shop of Kolar Kasba, referred to in the above, will be sold by public auction

auction on condition that the purchaser shall enjoy it as long as it may be in force, subject to the payment of license fee &c, under the license rules. It is no where mentioned that the licensee is to enjoy it for ever, or upto 30th June 1901 without paying license fee. As per Sale notice the purchaser is bound to pay license fee every year; and it is with a view to determine the amount of such fee, the shop has to be sold by public auction.

2. It will be seen from the accompanying statement that the present licensee has already made good the purchase money or license fee viz Rs 490/-, which he paid for the year 1896-97.

Sd/- [illegible]
For Excise Commissioner
Mysore

Z 3774/1897 (16) 58
W 9/4 Excise Commissioners
in Dublin.
Dep No 4-5-98
4th May 1898
13 May
Ass No. 7256 dated
164
18th Ultimo
Enclosures 3

In reply to the above has the honor to invite his kind attention to this Office docket No. 911 dated 7th September 5576 1897 which is a reply to his docket No. 1090 dated 21st August 43 1897 in which the circumstances under which the drug shop was sold have been fully

Flowers 4396

Fully explained.
The Sale petty in the modification in case as recommended enclosed for remedial and final return.

Dr Ramniklal

2

3

26/8/99

1896

15

15

15

3-11-96

1896

2-2-97

25/8/92

Rec'd 11/8/99.

Kolar for the years
1896-97 and 1897-98.

(2) Did he pay a any license
fee and if so how much?
If not why was it not
levied from him when
he was bound to pay
under the terms of his
purchase?

2. How could the subsequent
Government orders Nos. 4212-13
and 4209-10 dated 5th November
R 7 120-93 R 7 70-94
1896 affect his liability?

(3) Is he in any way responsible
for the non payment?

4) To which class did the shaft
belong in the years 1896-97-1897-98

Signed S Venkata Ranganayya
for Special Commissioner
in Mysore

Dy Commr's office Kolar
6 August 1899.

To No. 264

No. 133 Copy of the above is forwarded to the Superintendent
Kolar Gold Mines for a detailed report in English on all
the points raised by the Special Commissioner.
The Report should reach this office within
4 days.

H H Sparks
Dy Commissioner

From

The Executive Commissioner
in Mysore.

To The Deputy Commissioner
Kolar District.

Dated 27th July 1899.
Despatched 28 " Do.
No. 5-92
13

The Deputy Commissioner's
Docket No. 1674/1228 dated
19th October 1898.

Referring to the
file of papers
relating to Kolar
Venkatadasaiya late
Drug Shop keeper, Kolar
I have for reference
and re-transmission
has the honor to request
the favor of early
report as the following
points for submission
to Government.

(1) The said Shop Keeper
held the drug shop at Kolar

1896-97

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 5th November 1896

No. 4209-10
R. F. 120-93

Modifying Government Proceedings Camp No. 95-96, dated 11th April 1896, so as to exempt from payment of license fees such shops for the retail vend of opium as are sold by public auction.

M G.C.P.B.—24-11-96—120.

1896-97

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

lated 5th November 1896

No. 4212-13 / R. F. 70-94

Modifying Government Proceedings, Camp No. 93-94, dated 11th April 1896, o as to exempt from payment of license ees, such ganja shops as are sold by public uction.

M.G.C.P.B.—17-12-96—120